IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

WP(C).No. 18433 of 2007(T)

PETITIONER:

M.L.VINOD KUMAR,
VAJRA SHOPPING COMPLEX, ARYANADU P.O.,
TRIVANDRUM-695542.

BY ADV. SRI.M.R.SARIN PANICKER
SRI.M.R.SASITH PANICKER

RESPONDENTS:

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1. THE MANAGER,
DISTRICT CO-OPERATIVE BANK LTD.,
VELLANAD BRANCH, TRIVANDRUM.

2. RECOVERY OFFICER,
DISTRICT CO-OPERATIVE BANK LTD.,
VELLANAD BRANCH, TRIVANDRUM.

BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1	TRUE COPY OF OUT PATIENT RECORD ISSUED BY MEDICAL COLLEGE OFFICER ON 19-5-07
EXT.P2	TRUE COPY OF THE NOTICE ISSUED BY R2 ON 7--5-07
EXT.P3	TRUE COPY OF THE REPRESENTATION FILED BY THE PETITIONER BEFORE R2
EXT.P4	TRUE COPY OF THE NOTICE ISSUED BY R1 TO THE PETITIONER ON 29-05-2007

/True Copy/

PA to Judge.

K.M.JOSEPH, J.

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W.P.(C).No.18433 OF 2007

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Dated this the 23rd day of July, 2007

JUDGMENT

Petitioner availed a loan of Rs. 10 lakhs from the first respondent, which is not repaid. Recovery steps have been initiated.

2. I heard learned counsel for the petitioner and the learned counsel for the respondent-Bank also.

3. Learned counsel for the respondent-Bank submits that petitioner is entitled to the benefit of Circular No.30/2007, but petitioner may have to submit a fresh application.

The writ petition is disposed of as follows:

If the petitioner submits an application within ten days from today claiming the benefit of Circular No.30/2007, the first respondent will consider the same and grant such benefits which the petitioner is entitled to under Circular No.30/2007. The decision shall be communicated to the petitioner within two weeks from the date of receipt of the application. Upon receipt of

the decision, petitioner is permitted to pay off the entire amount due as shown in the decision in 4 equal monthly instalments, the first of which shall be payable on or before 23/08/2007. Petitioner is to pay the remaining instalments on or before the 23rd of every succeeding months. If the application is not submitted within ten days from today and if any of the instalments is not paid by the petitioner, petitioner will loose the benefit of this judgment and it will be open to the respondent-Bank to proceed against the petitioner in accordance with law.

(K.M.JOSEPH, JUDGE)

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